DETAILED ACTION

Remarks

1. In response to communications filed on June 7, 2007, no new claims are cancelled; claims 1, 16, and 20-23 have been amended, and new claim 24 has been added. Therefore, claims 1-11 and 13-24 are presently pending in the application.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-11 and 13-24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. While the specification is *silent* on the claimed "computer readable memory" in claims 1 and 16, not only does the specification of the present application suggest that media/medium can be a "carrier wave" or a signal but prior art Yellen et al. (Patent Number 5,946,489) also, discloses this claimed element as including carrier waves (column 11, lines 1-8), which shows that the at the time of the invention it was known in the art that the claimed elements could include carrier waves and these elements are energy. Energy is not one of the four categories of invention and therefore these claims are not statutory. Energy is not a series of steps or acts and thus is not a process. Energy is not a physical article or object and as such is not a machine or manufacture. Energy is not combination of substances and therefore not a composition of matter.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-11 and 13-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 16 recite the limitation "computer readable memory". There is insufficient antecedent basis for these limitations in the Specification. Correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-2, 6-8, 14, 16 and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spielberg (U.S. Patent Application Publication No. 20020129057), in view of Caspi (U.S. Patent Application Publication No. 2004/0250201).

As to claim 1, Spielberg teaches an indexing system for tagging a media stream (See abstract), comprising:

a tagging system for assigning each the at least one tag to the media (See abstract; paragraph 0018).

a collaborative tag handling system for dispatching each the at least one tag to a plurality of individuals for review based on tag source (See abstract; paragraphs 0003-0005).

Spielberg does not teach a first camera unit capturing the media and having a first speech input, supplying speech of a first cameraman operating the first camera unit for defining a first tag in computer readable memory, a second camera unit capturing the media and having a second speech input supplying speech of a second cameraman operating the second camera unit for defining a second tag in computer readable memory; a tagging system for assigning each the first tag and the second at least tag to the media; wherein each the first tag and the second tag includes a label identifying which of the first cameraman and the second cameraman speech provided the tag, and the first camera unit and the second camera unit are operated simultaneously to capture a shooting scene.

Caspi teaches a system and method for indicating an annotation for a document (See abstract), in which he teaches a first camera unit capturing the media and having a first speech input, supplying speech of a first cameraman operating the first camera unit for defining a first tag in computer readable memory, a second camera unit capturing the media and having a second speech input supplying speech of a second cameraman operating the second camera unit for defining a second tag in computer readable memory (See paragraph

0003; paragraphs 0005-0007; paragraph 00026; paragraphs 0035-0042); a tagging system for assigning each the first tag and the second at least tag to the media (See abstract; paragraphs 0005-0007); wherein each the first tag and the second tag includes a label identifying which of the first cameraman and the second cameraman speech provided the tag, and the first camera unit and the second camera unit are operated simultaneously to capture a shooting scene (See paragraph 0007; paragraph 0046; paragraph 0051).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Spielberg, to include a first camera unit capturing the media and having a first speech input, supplying speech of a first cameraman operating the first camera unit for defining a first tag in computer readable memory, a second camera unit capturing the media and having a second speech input supplying speech of a second cameraman operating the second camera unit for defining a second tag in computer readable memory; a tagging system for assigning each the first tag and the second at least tag to the media; wherein each the first tag and the second tag includes a label identifying which of the first cameraman and the second cameraman speech provided the tag, and the first camera unit and the second camera unit are operated simultaneously to capture a shooting scene.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Spielberg, by the teachings of Caspi because a first camera unit capturing the media and having a first speech input, supplying speech of a first cameraman operating the first camera unit for

defining a first tag in computer readable memory, a second camera unit capturing the media and having a second speech input supplying speech of a second cameraman operating the second camera unit for defining a second tag in computer readable memory; a tagging system for assigning each the first tag and the second at least tag to the media; wherein each the first tag and the second tag includes a label identifying which of the first cameraman and the second cameraman speech provided the tag, and the first camera unit and the second camera unit are operated simultaneously to capture a shooting scene would provide a system and method for allowing multiple annotations to co-exist while distinguishing between the annotations made by different participants (See Caspi, paragraph 0004).

As to claim 2, Spielberg as modified, teaches wherein the tagging system includes a speech recognition system (See Spielberg, paragraph 0047; paragraph 0066).

As to claim 6, Spielberg as modified, teaches wherein the at least one tag is comprised of a plurality of fields, each of the fields storing information from the at least one input (See Spielberg, abstract; paragraph 00018; paragraph 0021; paragraphs 0042-0043).

As to claim 7, Spielberg as modified, teaches wherein the at least one tag includes a pointer for associating the at least one tag to a timeline of the media (See Spielberg, paragraph 0047; paragraph 0071).

As to claim 8, Spielberg as modified, teaches further comprising a tag analysis system comparing the information from each of the at least one input to determine and correct inconsistencies therein (See Spielberg, abstract; paragraph 00018; paragraph 0021; paragraphs 0042-0043).

As to claim 14, Spielberg as modified, teaches wherein the at least one individual comprises an individual that provides the at least one input (See Spielberg, abstract; paragraph 0018; also see Caspi abstract; paragraph 005).

As to claim 16, Spielberg teaches an indexing system for tagging a media stream (See abstract), comprising:

a tag database for storing the at least one tag and the media (See abstract; paragraph 0018);

a tag analysis system comparing the information from each of the at least one input to determine and correct inconsistencies therein (See abstract; paragraphs 0003-0005; paragraph 00018; paragraph 0021; paragraphs 0042-0043); and

a retrieval system for searching the tag database by analyzing the tags and returning results (See abstract; paragraphs 0003-0005).

Spielberg does not teach a first camera unit at a shooting scene capturing the media stream and having a first speech input supplying speech of a first cameraman operating the first camera unit for defining a first tag in computer readable memory; a second camera unit operated simultaneously with the first camera unit at the shooting scene to capture the media stream and having a second speech input supplying speech of a second cameraman operating the second camera unit for defining a second tag in computer readable memory; a tagging system for assigning the first tag and the at least one tag to the media.

Caspi teaches a system and method for indicating an annotation for a document (See abstract), in which he teaches a first camera unit at a shooting scene capturing the media stream and having a first speech input supplying speech of a first cameraman operating the first camera unit for defining a first tag in computer readable memory (See paragraph 0003; paragraphs 0005-0007; paragraph 00026; paragraphs 0035-0042); a second camera unit operated simultaneously with the first camera unit at the shooting scene to capture the media stream and having a second speech input supplying speech of a second cameraman operating the second camera unit for defining a second tag in computer readable memory (See paragraphs 0005-0007); a tagging system for assigning the first tag and the at least one tag to the media (See paragraph 0007; paragraph 0046; paragraph 0051).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Spielberg, to include a first camera unit at a shooting scene capturing the media stream and

having a first speech input supplying speech of a first cameraman operating the first camera unit for defining a first tag in computer readable memory; a second camera unit operated simultaneously with the first camera unit at the shooting scene to capture the media stream and having a second speech input supplying speech of a second cameraman operating the second camera unit for defining a second tag in computer readable memory; a tagging system for assigning the first tag and the at least one tag to the media.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Spielberg, by the teachings of Caspi because a first camera unit at a shooting scene capturing the media stream and having a first speech input supplying speech of a first cameraman operating the first camera unit for defining a first tag in computer readable memory; a second camera unit operated simultaneously with the first camera unit at the shooting scene to capture the media stream and having a second speech input supplying speech of a second cameraman operating the second camera unit for defining a second tag in computer readable memory; a tagging system for assigning the first tag and the at least one tag to the media would provide a system and method for allowing multiple annotations to co-exist while distinguishing between the annotations made by different participants (See Caspi, paragraph 0004).

As to claim 20, Spielberg as modified, teaches wherein the collaborative tag handling system permits the individuals to at least one of selectively filter or

screen tags by source, thereby differentiating between tags input by at least one of different cameramen, different on-site GPS systems, different multimedia recording engineering units, or combinations thereof (See Spielberg, abstract; paragraph 00018; paragraph 0021; paragraphs 0042-0043; paragraph 0051).

As to claims 21-23, Spielberg as modified, teaches wherein the tagging system and is adapted to accomplish creation of tags during capture of the media (See Spielberg, abstract; paragraph 00018; also see Caspi abstract; paragraphs 0005-0007); wherein both of the speech inputs is located at a sight of creation of the media, and the tagging system is adapted to accomplish labeling of tags during creation of the media (See Spielberg, abstract; paragraph 00018; also see Caspi abstract; paragraphs 0005-0007).

7. Claims 3-5, 11, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spielberg (U.S. Patent Application Publication No. 20020129057), in view of Caspi (U.S. Patent Application Publication No. 2004/0250201), in further view of Bennett et al. (U.S. Patent No. 5,884,256).

As to claim 3, Spielberg as modified, still does not teach wherein the speech recognition system includes a translation component that translates multiple languages into a common language, and the common language is stored in the at least one tag.

Bennett et al. teaches networked stenographic system with real-time speech to text conversion for down-line display and annotation (See abstract), in which he teaches wherein the speech recognition system includes a translation component that translates multiple languages into a common language, and the common language is stored in the at least one tag (See Figure 5b; column 16, lines 46-67; column 17, lines 1-3).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Spielberg as modified, to include wherein the speech recognition system includes a translation component that translates multiple languages into a common language, and the common language is stored in the at least one tag.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Spielberg as modified, by the teachings of Bennett et al. because wherein the speech recognition system includes a translation component that translates multiple languages into a common language, and the common language is stored in the at least one tag would provide a system and method for allowing multiple annotations to co-exist while distinguishing between the annotations made by different participants (See Caspi, paragraph 0004).

As to claim 4, Spielberg as modified, teaches wherein the speech recognition system stores multiple languages within the at least one tag (See Bennett et al., Figure 5b; column 16, lines 46-67; column 17, lines 1-3).

As to claim 5, Spielberg as modified, teaches further comprising tag information feedback to a user for editing, deleting, and adding the information in the at least one tag (See Spielberg, abstract; paragraph 0007; paragraph 0013; paragraph 0018; paragraph 0021; paragraph 0055; also see Bennett et al., column 20, lines 6-13; column 23, lines 55-62; column 28, lines 45-55).

As to claim 11, Spielberg as modified, teaches wherein the at least one tag includes a label identifying a language of the at least one tag (See Bennett et al., Figure 5b; column 16, lines 46-67; column 17, lines 1-3).

As to claim 15, Spielberg as modified, teaches wherein the tagging system includes an encryption mechanism to encrypt the at least one tag (See Bennett et al., column 26, lines 39-45, lines 56-61).

As to claim 17, Spielberg as modified, teaches wherein the retrieval system uses a Boolean retrieval model (See Bennett et al., column 19, lines 43-49).

8. Claim 9, is rejected under 35 U.S.C. 103(a) as being unpatentable over Spielberg (U.S. Patent Application Publication No. 20020129057), in view of Caspi (U.S. Patent Application Publication No. 2004/0250201), in further view of Ebert (U.S. Patent Application Publication No. 2003/0144985).

As to claim 9, Spielberg as modified, does not teach wherein the at least one input includes at least one sensor for creating an attribute in the tag.

Ebert teaches bi-directional data flow in a real time tracking system (See abstract), in which he teaches wherein the at least one input includes at least one sensor for creating an attribute in the tag (See abstract; paragraph 008).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Spielberg as modified, to include wherein the at least one input includes at least one sensor for creating an attribute in the tag.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Spielberg as modified, by the teachings of Ebert because wherein the at least one input includes at least one sensor for creating an attribute in the tag would provide a system and method for allowing multiple annotations to co-exist while distinguishing between the annotations made by different participants (See Caspi, paragraph 0004).

9. Claim 10, is rejected under 35 U.S.C. 103(a) as being unpatentable over Spielberg (U.S. Patent Application Publication No. 20020129057), in view of Caspi (U.S. Patent Application Publication No. 2004/0250201), in further view of Jain et al. (U.S. Patent No. 6,463,444).

As to claim 10, Spielberg as modified, does not teach wherein the at least one tag includes a confidence value associated with the attribute.

Jain et al. teaches video cataloger system with extensibility (See abstract), in which he teaches wherein the at least one tag includes a confidence value associated with the attribute (See column 9, lines 18-22).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Spielberg as modified, to include wherein the at least one tag includes a confidence value associated with the attribute.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Spielberg as modified, by the teachings of Jain et al. because wherein the at least one tag includes a confidence value associated with the attribute would provide a system and method for allowing multiple annotations to co-exist while distinguishing between the annotations made by different participants (See Caspi, paragraph 0004).

10. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Spielberg (U.S. Patent Application Publication No. 20020129057), in view of Caspi (U.S. Patent Application Publication No. 2004/0250201), in further view of Srivastava et al. (U.S. Patent No. 6,549,922).

As to claim 13, Spielberg as modified, does not teach wherein the at least one tag includes an attribute for assigning a copyright designation therein.

Srivastava et al. teaches a system for collecting, transforming and managing media metadata (See abstract), in which he teaches wherein the at

least one tag includes an attribute for assigning a copyright designation therein (See column 2, lines 28-40).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Spielberg as modified, to include wherein the at least one tag includes an attribute for assigning a copyright designation therein.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Spielberg as modified, by the teachings of Srivastava et al. because wherein the at least one tag includes an attribute for assigning a copyright designation therein would provide a system and method for allowing multiple annotations to co-exist while distinguishing between the annotations made by different participants (See Caspi, paragraph 0004).

11. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spielberg (U.S. Patent Application Publication No. 20020129057), in view of Caspi (U.S. Patent Application Publication No. 2004/0250201), in further view of Lui et al. (U.S. Patent Application Publication No. 2003/0105589).

As to claim 18, Spielberg as modified, does not teach wherein the retrieval system uses a vector retrieval model.

Lui et al. teaches a system for collecting, transforming and managing media metadata (See abstract), in which he teaches wherein the retrieval system uses a vector retrieval model (See paragraph 0067).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Spielberg as modified, to include wherein the retrieval system uses a vector retrieval model.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Spielberg as modified, by the teachings of Lui et al. because wherein the retrieval system uses a vector retrieval model would provide a system and method for allowing multiple annotations to co-exist while distinguishing between the annotations made by different participants (See Caspi, paragraph 0004).

As to claim 18, Spielberg as modified wherein the retrieval system uses a probabilistic retrieval model (See paragraphs 0056-0057).

Response to Arguments

12. Applicant's arguments filed on 07-October -2008, with respect to the rejected claims 1-11 and 13-24 have been fully considered but they are not found to be persuasive:

In response to applicants' arguments regarding" ***Spielberg does not teach, suggest, or motivate that the media is a media stream captured by camera units simultaneously operated by different cameramen at a shooting scene, that the tags are supplied by different cameramen via speech inputs of the camera units, or that the tags are filtered by cameraman,***" the arguments have been fully considered but are not found to be

persuasive, because Caspi is cited by the examiner as disclosing a camera or web cams, which can be one of many devices used by the user (See paragraph 0030). Caspi also discloses streaming info during real time and multiple users (i.e. cameramen) being able to annotate (tag) via speech devices from different locations using any one of the devices, such as a camera (see paragraph 0003; paragraphs 0035-0042; paragraph 00026). Spielberg discloses streaming video and a user reviewing tags and a tag database (See paragraphs 0003-0005; paragraph 0018). Therefore, it would obvious to use a camera with a speech input device in the Caspi invention to annotate/tag video.

In response to applicants' arguments regarding "***Spielberg and Caspi do not teach, suggest, or motivate that the media is a media stream captured by camera units simultaneously operated by different cameramen at a shooting scene, that the tags are supplied by different cameramen via speech inputs of the camera units, or that the tags are filtered by cameraman***," the arguments have been fully considered but are not found to be persuasive, because Caspi discloses a camera or web cams, which can be one of many devices used by the user (See paragraph 0030). Caspi also discloses streaming info during real time and multiple users (i.e. cameramen) being able to annotate (tag) via speech devices from different locations using any one of the devices, such as a camera (see paragraph 0003; paragraphs 0035-0042; paragraph 00026). Spielberg discloses streaming video and a user reviewing tags and a tag database (See paragraphs 0003-0005; paragraph 0018). Therefore, it would obvious to use a camera with a speech input device in the

Caspi invention to annotate/tag video and to combine the Spielberg reference in order to review the annotations/tags of the videos disclosed in Caspi.

In response to applicants' arguments regarding "***claim 10 is dependent from claim 9, and that Jain et al. does not teach generating an attribute using a sensor***," the arguments have been fully considered but are not found to be persuasive, because the argument is moot because the examiner discloses Ebert as teaching a tagging system wherein the attribute is derived from sensor (See abstract; paragraphs 0008-0009; paragraph 0012).

In response to applicants' arguments regarding "***Spielberg does not teach, suggest, or motivate that the media is a media stream captured by camera units simultaneously operated by different cameramen at a shooting scene, that the tags are supplied by different cameramen via speech inputs of the camera units, or that the tags are filtered by cameraman,***" the arguments have been fully considered but are not found to be persuasive, because Caspi is cited by the examiner as disclosing a camera or web cams, which can be one of many devices used by the user (See paragraph 0030). Caspi also discloses streaming info during real time and multiple users (i.e. cameramen) being able to annotate (tag) via speech devices from different locations using any one of the devices, such as a camera (see paragraph 0003; paragraphs 0035-0042; paragraph 00026). Spielberg discloses streaming video and a user reviewing tags and a tag database (See paragraphs 0003-0005; paragraph 0018). Therefore, it would obvious to use a camera with a speech input device in the Caspi invention to annotate/tag video.

In response to applicants' arguments regarding "***Spielberg and Caspi do not teach, suggest, or motivate that the media is a media stream captured by camera units simultaneously operated by different cameramen at a shooting scene, that the tags are supplied by different cameramen via speech inputs of the camera units, or that the tags are filtered by cameraman***," the arguments have been fully considered but are not found to be persuasive, because Caspi is cited by the examiner as disclosing a camera or web cams, which can be one of many devices used by the user (See paragraph 0030). Caspi also discloses streaming info during real time and multiple users (i.e. cameramen) being able to annotate (tag) via speech devices from different locations using any one of the devices, such as a camera (see paragraph 0003; paragraphs 0035-0042; paragraph 00026). Spielberg discloses streaming video and a user reviewing tags and a tag database (See paragraphs 0003-0005; paragraph 0018). Therefore, it would obvious to use a camera with a speech input device in the Caspi invention to annotate/tag video.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mellissa M. Chojnacki whose telephone number is (571) 272-4076. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 7, 2009
Mmc

/Charles Rones/
Supervisory Patent Examiner, Art Unit 2164